

**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

DECEMBER 19, 2005

MEMBERS PRESENT: Emery Zahner, Arlo Hoffman, Lori Spielman, Cliff Aucter, Bob Hoffman (arrived 7:08) and Alternates Joe Wehr and Carol Strom

MEMBERS ABSENT: Geri Kupecky and Alternate James Prichard

STAFF PRESENT: Robert A. Phillips, Town Planner and Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Zahner called the Planning & Zoning Commission (PZC) meeting to order at 7:03 PM at the Ellington Town Hall Annex Meeting Room, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

III. PUBLIC HEARINGS:

1. #S200509 – Brook Crossing Developers, LLC for a 9 lot subdivision on property located at the Extension of Brook Crossing, APN 119-004-0000 in an RA Zone.
2. #Z200540 – Brook Crossing Developers, LLC for a special permit for a rear lot in conjunction with a 9 lot re-subdivision on property located on Brook Crossing, APN 119-004-0000 in an RA Zone.

TIME: 7:05

SEATED: C. Strom, C. Aucter, L. Spielman, J. Wehr, E. Zahner, A. Hoffman

Attorney Len Jacobs, Jacobs, Walker, Rice & Basche, LLC, came forward to give an overview of the application. He explained that this subdivision only has one rear lot; it is a 14 ½ acre lot. The homes and lots meet Ellington Zoning Regulations. This project is Phase III of Birchview Estates.

Chairman Zahner read the Town Engineer's letter dated 12/19/05 and the North Central District Health Department's letter dated 12/19/05.

Russ Heintz, Tarbell & Heintz, reviewed the paving of Brook Crossing, stating that they plan to at least install the binder course as requested by the Town Engineer and Town Planner.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #S200509– BROOK CROSSING DEVELOPERS, LLC.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARINGS FOR #Z200540 – BROOK CROSSING DEVELOPERS, LLC.

MOVED (AUCTER), SECONDED (STROM) AND MOTIONED TO DENY #Z200540 – BROOK CROSSING DEVELOPERS, LLC. VOTE RESULTED IN A TIE AND THE MOTION TO DENY FAILED 3 TO 3.

MOVED (ZAHNER), SECONDED (SPIELMAN) AND MOTIONED TO APPROVE #Z200540 – BROOK CROSSING DEVELOPERS, LLC. VOTE RESULTED IN A TIE AND THE MOTION TO APPROVE FAILED 3 TO 3, APPLICATION WAS EFFECTIVELY DENIED.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CONTINUE THE RENDERING OF A DECISION FOR #S200509 – BROOK CROSSING DEVELOPERS, LLC.

3. #S200511 – REM Motor Rental for a 2 lot subdivision on property located on West Road, APN 046-001-0000 in a PC & RA Zone.

TIME: 7:30

SEATED: C. Strom, C. Aucter, L. Spielman, E. Zahner, J. Wehr, B. Hoffman (A. Hoffman – Recused)

Attorney Len Jacobs, Jacobs, Walker, Rice & Basche, LLC, came forward to review the application.

Chairman Zahner read the Town Engineer's letter dated 12/19/05.

The applicant requested a 10% fee-in-lieu of open space instead of dedication of land for open space.

MOVED (B. HOFFMAN), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CONTINUE #S200511– REM MOTOR RENTAL.

4. #Z200541 – Deer Valley, LLC for a zone change to MF Zone on property located at 160 Windermere Ave, APN 026-002-0000, 026-002-0033 in an RA Zone.

TIME: 7:35

SEATED: C. Aucter, A. Hoffman, E. Zahner, L. Spielman, C. Strom, B. Hoffman

Eric Santini, Sr. and Ken Peterson, Gardner & Peterson came forward to review the application with the commission. He explained that they wanted to realign the Multi-Family zone along the actual property line and that nothing else would change. It was more of a technical repair of a previous survey.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200541 – DEER VALLEY, LLC.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO APPROVE #Z200541 – DEER VALLEY, LLC.

EFFECTIVE DATE: JANUARY 15, 2006

5. #S200514 – Janet Hall for a 3 lot subdivision on property located at 110 Pinnacle Road, APN 075-018-0000 in an AA Zone.

TIME: 7:40

SEATED: A. Hoffman, C. Aucter, E. Zahner, J. Wehr, B. Hoffman, L. Spielman

Wes Wentworth, Wentworth Engineers, came forward for the applicant and reviewed the application. This parcel has 32.9 acres with the existing home and he explained that they have North Central District Health approval. There will be 3.3 acres of open space proposed to be deeded to the town to add to existing town-owned open space. However, the Conservation Commission has not rendered their recommendation regarding open space.

Chairman Zahner read the Town Engineer's letter dated 12/19/05.

MOVED (SPIELMAN), SECONDED (AUCTER) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE JANUARY 30, 2006 MEETING FOR #S200514 – JANET HALL.

6. #Z200542 – Landmark Surveys, LLC for a zone change to C Zone on property located at 298 Somers Road, APN 083-002-0000 in an RA Zone.

TIME: 7:50

SEATED: A. Hoffman, C. Aucter, E. Zahner, L. Spielman, C. Strom, B. Hoffman

Rachel Dearborn, Landmark Surveys, came forward to review the application. The commission discussed the initiation of a commission sponsored zone change along a portion of Somers Road to the C Zone. This applicant request would be encompassed in that potential commission initiative.

MOVED (B. HOFFMAN), SECONDED (AUCTER) AND PASSED UNANIMOUSLY TO CONTINUE #Z200542 – LANDMARK SURVEYS, LLC.

7. #S200513 – Santini Builders, LLC for a 2 lot subdivision on property located on Windermere Ave, APN 025-036-0000, 026-002-0000 in an AA Zone.

TIME: 8:10

SEATED: A. Hoffman, J. Wehr, E. Zahner, L. Spielman, B. Hoffman, C. Aucter

Eric Santini, Sr. and Ken Peterson, Gardner & Peterson, came forward to review the application with the commission.

Chairman Zahner read the Town Engineer's letter dated 12/19/05.

MOVED (AUCTER), SECONDED (WEHR) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #S200513 – SANTINI BUILDERS, LLC.

MOVED (SPIELMAN), SECONDED (AUCTER) AND PASSED UNANIMOUSLY TO APPROVE #S200513 – SANTINI BUILDERS, LLC.

VI. NEW BUSINESS:

1. Discussion with Rudolph Luginbuhl regarding Zone Change at 35 West Road from C/A to C.

The requestor was not in attendance.

TABLED TO THE JANUARY 30, 2006 MEETING.

2. Request for a 90-day extension to file subdivision mylars for the MacVarish Subdivision #S200507.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO GRANT A 90-DAY EXTENSION TO FILE SUBDIVISION MYLARS FOR THE MACVARISH SUBDIVISION #S200507.

3. Appointments to CRCOG Regional Planning Commission.

TABLED TO THE JANUARY 30, 2006 MEETING.

4. #Z200543 – CD Builders, Inc. for a site plan modification and special permit for change of use from repair garage to convenience store and complete minor site improvements on property located at 83 West Road, APN 028-056-0000 in a C Zone. (RECEIPT ONLY)

BY CONSENSUS, THE COMMISSION RECEIVED #Z200543—CD BUILDERS (CHANGE OF USE FROM REPAIR GARAGE TO CONVENIENT STORE).

BY CONSENSUS, THE COMMISSION ADDED TO THE AGENDA AND RECEIVED #Z200544 – SYN-MAR PRODUCTS, INC. (CONSTRUCTION OF A 27,364 SQUARE FOOT INDUSTRIAL BUILDING) AND #S200515 – LANDMARK SURVEYS (4 LOT SUBDIVISION).

VI. UNFINISHED BUSINESS: NONE

VII. ADMINISTRATIVE BUSINESS:

1. Set the effective date for the zone change from PC & RA to RA on property located at 120 Stafford Road, APN 148-021-0000.

DUE TO LACK OF ORIGINAL QUORUM AT APPROVAL THE COMMISSION TABLED THIS ITEM TO THE JANUARY 30, 2006 MEETING.

2. Discussion with John Jendza regarding Amendment to Signage Regulations.

John Jendza came forward to explain that they want an amendment to the Signage Regulations to permit them to have two full size signs and associated small signs indicating services within the store on the property. He submitted pictures and reviewed the signage.

3. Planning & Zoning representative for the Permanent Building Committee.

MOVED (B. HOFFMAN), SECONDED (C. AUCTER) AND PASSED UNANIMOUSLY TO APPOINT LORI SPIELMAN AS THE PLANNING & ZONING REPRESENTATIVE TO THE PERMANENT BUILDING COMMITTEE.

4. Approval of Meeting Minutes:
 - a. November 16, 2005 Special Meeting

MOVED (AUCTER), SECONDED (B. HOFFMAN) AND PASSED UNANIMOUSLY TO APPROVE THE NOVEMBER 16, 2005 SPECIAL MEETING MINUTES.

5. Correspondence:
 - a. Memo to the Board of Selectmen to Conservation Commission dated, November 30, 2005. (Request for capital improvement)
 - b. CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER.
 - c. 2006 Meeting Schedule.

SO NOTED.

MOVED (B. HOFFMAN), SECONDED (AUCTER) AND PASSED UNANIMOUSLY THAT THE PLANNING & ZONING COMMISSION INITIATE A COMMISSION SPONSORED APPLICATION TO CHANGE CURRENT ZONING CLASSIFICATIONS TO COMMERCIAL ON ROUTE 83 BETWEEN MAPLE STREET AND MEADOWBROOK ROAD.

VII. ADJOURNMENT:

MOVED (B. HOFFMAN), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:10 PM.

Respectfully Submitted,

Kristin Michaud
Recording Secretary